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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

RODNEY L. SANER, Civ. No. 05-11-TC

Plaintiff, ORDER

v.

DESCHUTES COUNTY SHERIFF
DEPUTY MICHAEL MALLOY, et al.,

Defendants.

Aiken, Judge:

Magistrate Judge Coffin issued his Findings and Recommendation in the above-captioned action on May 9, 2006. Magistrate Judge Coffin recommends that the moving defendants' motion for summary judgment be granted and plaintiff's claims against them dismissed for failure to exhaust administrative remedies. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Plaintiff arguably has filed timely objections to the Findings and Recommendation. I have, therefore, given de novo review of Judge Coffin's thorough opinion, and I find no error.

THEREFORE, IT IS HEREBY ORDERED that Magistrate Judge Coffin's Findings and Recommendation (doc. 77) filed May 9, 2006, is ADOPTED. Defendants' Motion for Summary Judgment (doc. 33) is GRANTED, and plaintiff's claims against defendants Deschutes County Sheriff Corrections Health Services, Deputy Molen, Deputy Bishop, Deputy Bailey, Deputy Lucas, Marcia Stone and Sgt. Terese Jones are DISMISSED with prejudice.

IT IS SO ORDERED.

Dated this 5 day of June, 2006.


Ann Aiken
United States District Judge